

Remarks

The Applicants have amended Claim 15 to change the relaxation factor of 8 to 20% to 10 to 20%. Support for that change is inherent in view of the fact that 10 is encompassed by the earlier 8 to 20% range. Also, additional support may be found in the Applicants' Specification on Page 19 at Lines 25-26 of Example 1, wherein a relaxation factor of 10 was employed. Entry into the official file and consideration on the merits is respectfully requested.

Claims 15-19, 21, 22 and 24 stand rejected under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. The rejection specifically mentions the extension of no more than 6.6 cN/dtex and an elastic recovery following 10% elongation of at least 90%. The rejection states that none of these are disclosed in the Specification. The Applicants respectfully submit that Claims 15-19, 21, 22 and 24 fully comply with 35 U.S.C. §112, first paragraph.

With respect to the extension, the Applicants invite the Examiner's attention to Page 6 of the Specification beginning at Line 6 wherein the extension is described as no more than 10 cN/dtex. The recitation of "no more than 6.6 cN/dtex" in Claim 15 is inherently fully supported by virtue of the "no more than 10 cN/dtex" language in the Specification. Moreover, the Applicants invite the Examiner's attention to Table 1 on Page 25 wherein various extension values are employed. These may be found in the left-hand column under the heading "Differential Young's Modulus." Example 4 provides an exact example of how to achieve 6.6 cN/dtex. Other examples such as Examples, 1, 2, 3 and 5 show how to achieve other values within the claimed range but no more than 6.6 cN/dtex. Examples 6 and 7 provide additional examples that are closer to the 6.6 value. As a consequence, the Applicants respectfully submit that the Applicants' Specification fully describes the claimed characteristic and how that claimed characteristic is achieved over the entire spectrum of the claimed range, including the highest point of no more than 6.6 cN/dtex. The Applicants therefore

respectfully submit that at least that portion of the claim is fully in compliance with §112, first paragraph.

The Applicants invite the Examiner's attention to Page 7 of the Specification in the first two lines wherein it specifically states that the elastic recovery is "at least 90%" following 10% elongation. Thus, the claimed range is explicitly set forth in the Specification. The Applicants also invite the Examiner's attention to Table 1 on Page 25 of the Specification wherein a variety of elastic recoveries are provided. For example, Examples 1-5 include elastic recoveries of 97.8, 90.8, 98.0, 98.2 and 93.3. Thus, the Applicants again provide multiple examples throughout the claimed range, including a point very close to the minimum range of at least 90%. Inasmuch as the range is presented in a variety of examples, teach those skilled in the art how to achieve those elastic recoveries and the descriptions are quite clear, the Applicants respectfully submit that Claims 15-19, 21, 22 and 24 are also in compliance with §112, first paragraph with respect to the claimed elastic recovery. Withdrawal of the rejection is respectfully requested.

Claims 15-19, 21, 22 and 24 stand rejected under 35 U.S.C. §103 over the hypothetical combination of Toshio and Rowan with Fujimoto. The Applicants respectfully submit that even if one skilled in the art were to make the hypothetical combination, the resulting methodology would still be quite different. Reasons are set forth below.

The Applicants agree that Fujimoto fails to teach that the second heated roll used for the relaxation treatment has a surface roughness of 1.5S – 8S; that Rowan does not explicitly teach that Rmax of the Ra is within the claimed range of 1.5S – 8S; that Fujimoto fails to teach intermingling to a specific CF value; and that Fujimoto does not expressly teach that the interlacing is before winding. The Applicants also respectfully submit that Fujimoto fails to provide additional disclosure that is relevant to the Applicants' solicited claims.

In that regard, the Applicants invite the Examiner's attention to Claim 15 which refers to the yarn being continuously subjected to a hot treatment at the second roll and a relaxation heat treatment at a heat relaxation factor of 10 to 20% between the second heated roll and a third roll or between the second heated roll and a winder. The Applicants respectfully submit that Fujimoto is limited to a second heated roll to provide a heat treatment on the one hand and, thus, a relaxation factor of 10 to 20%. However, Claim 15 specifies more. In particular, Claim 15 specifies a relaxation heat treatment at a relaxation factor of 10 to 20% between the second heated roll and a third roll or between the second heated roll and a winder.

The rejection is couched in terms of Fujimoto providing a heat treatment at the second roll at a relaxation factor of 10 to 20%. While Fujimoto may provide a heat treatment at the second roll and may provide a relaxation factor of 10 to 20%, Fujimoto does not disclose providing a relaxation heat treatment at a relaxation factor of 10 to 20% in addition to the heat treatment at the second roll. Thus, the Applicants specifically claim two heat treatments, namely heat treatment at the second roll and a relaxation heat treatment at a relaxation factor of 10 to 20% between the second heated roll and a third roll or between the second heated roll on a winder. Fujimoto does not do this. Instead, Fujimoto provides a heat treatment at the second roll and no relaxation heat treatment subsequent to the second roll even though the Fujimoto yarn may be subjected to a relaxation factor of 10 to 20%. Nonetheless, no application of the relaxation heat treatment in addition to the second roll heat treatment is disclosed by Fujimoto.

As a consequence, the Applicants respectfully submit that even if one skilled in the art were to hypothetically combine either or both of Toshio and Rowan with Fujimoto, the combined methodology would still result in subjecting the Fujimoto yarn to a heat treatment at the second roll followed by winding at a relaxation factor of 10 to 20%. However, that is not what the Applicants

claim. Instead, the Applicants claim subjecting the yarn to a heat treatment at the second roll and, subsequently, subjecting the yarn to a relaxation heat treatment at a relaxation factor of 10 to 20%. This is set forth in the Applicants' Specification in a number of locations such as on Page 13 beginning at Line 23, for example. The Applicants therefore respectfully submit that hypothetically combining Toshio and/or Rowan with Fujimoto fails to result in methodology that is recited in the Applicants' Claims 15-19, 21, 22 and 24. Withdrawal of the rejection is respectfully requested.

In light of the foregoing, the Applicants respectfully submit that the entire application is now in condition for allowance, which is respectfully requested.

Respectfully submitted,



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